

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Civil Action No. 1:20-cv-00438

TIMOTHY KAPP,

Plaintiff,

v.

HARRIS TEETER, LLC and HARRIS
TEETER SUPERMARKETS, INC.,

Defendants.

**NOTICE OF TENTATIVE SETTLEMENT AND
REQUEST TO STAY DEADLINES**

Notice is hereby given that plaintiff Timothy Kapp (“Plaintiff”) and defendants, Harris Teeter, LLC and Harris Teeter Supermarkets, Inc. (collectively, the “Defendants”), have reached a settlement in principle in the above captioned matter.

Plaintiff and Defendants anticipate finalizing the settlement agreement within forty-five (45) days, at which time Plaintiff and Defendants plan to file a Joint Stipulation of Dismissal with prejudice, thereby resolving all of Plaintiff’s claims against Defendants.

Plaintiff and Defendants request that the Court stay all upcoming deadlines in this matter, including Defendants’ deadline to respond to the Complaint, for purposes of finalizing the terms of settlement, and further request that the Court retain its jurisdiction regarding this action until the filing of the Joint Stipulation of Dismissal pursuant to F.R.Civ.P. 41(a)(1)(A)(ii).

This the 16th day of July 2020.

/s/ Edward H. Maginnis

Edward H. Maginnis

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/s/ John G. McDonald

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2020, I filed electronically the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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This the 16th day of July 2020.

/s/ John G. McDonald
John G. McDonald (N.C. Bar No. 23848)